



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

TBM/MS
F. #2022R00359

*271 Cadman Plaza East
Brooklyn, New York 11201*

September 26, 2023

By E-mail and ECF

The Honorable Nina R. Morrison
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Tyler Scott Johnston
Criminal Docket No. 23-13

Dear Judge Morrison:

The government respectfully submits this letter in response to the Court's written request, communicated via E-Mail on September 26, 2023, setting forth the government's, defendant's and Pretrial Services' positions regarding modification of the pretrial release conditions of defendant Tyler Scott Johnston.

I. Modifications to Pretrial Release

The parties jointly request that the conditions of defendant Tyler Scott Johnston's pretrial release be modified to include the following and a proposed order is attached hereto:

- (1) permit Johnston to relocate to a residence pre-approved by Pretrial Services in Sunnyvale, Texas, Oklahoma or Arkansas; and
- (2) preclude Johnston from visiting or residing on his family's farm located in Muldrow, OK (the "Farm").

Defense counsel requests leave to move to further modify condition (2) at a future date.

II. Adjournment of Oral Argument

Because there is no issue ripe for argument at this time, the parties request that the oral argument scheduled for September 27, 2023 be adjourned sine die.

III. Supplemental Letters

The government hereby submits a letter setting forth Oklahoma Pretrial Services' assessment of the Farm as Exhibit A and a letter setting forth the Guardian Ad Litem's concerns with the defendant living at the Farm as Exhibit B.¹

Respectfully submitted,

BREON PEACE
United States Attorney

By: _____/s/
Tara B. McGrath
Margaret Schierberl
Assistant U.S. Attorneys
(718) 254-7000

cc: Clerk of Court (NRM) (via ECF)
Counsel of Record (via ECF and E-Mail)
United States Pretrial Services Supervisory Officer Amanda Carlson (via E-Mail)
United States Pretrial Services Officer Valeria Lopez (via E-Mail)

¹ Redacted versions of the attached proposed order and Exhibit B are filed on the public docket to protect the personal identifying information of the victim.